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**d/b/a AmerenCIPS**

**ILLINOIS POWER COMPANY**  
**d/b/a AmerenIP**

**Proposal to implement a competitive procurement**  
**process by establishing Rider BGS, Rider BGS-L,**  
**Rider RTP, Rider RTP-L, Rider D, and Rider MV.**

2005 MAY 25 P 4: 21

CHIEF CLERK'S OFFICE

Docket Nos. 05-0160, 06-0161,  
and 05-0162 (consol.)

**OPPOSITION OF ILLINOIS ENERGY ASSOCIATION**  
**TO MOTION TO DISMISS**

The Illinois Energy Association ("IEA"), through undersigned officer, respectfully submits this Opposition to the Motion to Dismiss filed by the People of the State of Illinois, the Cook County State's Attorney, the Citizens Utility Board and the Environmental Law and Policy Center (collectively, "Movants").

**INTRODUCTION**

The power procurement process proposed in this docket is not in violation of the consumer protection provisions of the Public Utilities Act. Rather, the Commission's authority to review and approve this process falls squarely within its jurisdiction to ensure just and reasonable rates for customers. The process is also consistent with the underlying philosophy of the 1997 law in that it provides the benefits of a competitive electricity marketplace to customers who otherwise have little or no direct access to said markets. Rather than leave consumers unprotected, this process allows consumers to take advantage

of the opportunities presented by the restructured electricity industry that resulted from the customer choice statute.

Unlike some other states, Illinois has followed the well-reasoned and economically sound pattern toward a competitive electricity marketplace that was laid out in the 1997 legislation. In approving the law, the General Assembly set the state's electricity industry on a path that will result in stable rates for the crucial generation component of overall electricity costs. The proposed power procurement process is a critical part of that logical progression leading to a viable competitive electricity industry in Illinois. To backtrack at this late date would be worst possible long-term choice for the state's electricity consumers.

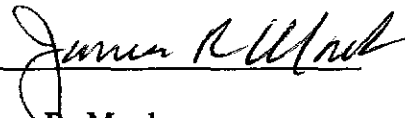
#### CONCLUSION

The power procurement process proposed in this docket is not in violation of the consumer protection provisions of the Public Utilities Act. The Motion to Dismiss lacks merit and should be denied.

Respectfully submitted,

ILLINOIS ENERGY ASSOCIATION

By: \_\_\_\_\_


  
James R. Monk  
President and Chief Executive Officer  
Illinois Energy Association  
1 W. Old State Capitol Plaza  
Suite 509  
Springfield, IL 62701  
217-523-7348

Dated: May 25, 2005

VERIFICATION

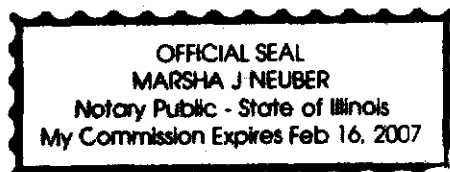
STATE OF ILLINOIS     )  
SANGAMON COUNTY     )

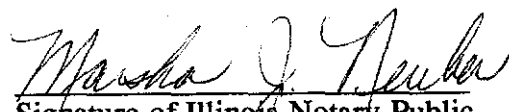
My name is James R. Monk and I am President of the Illinois Energy Association. I have reviewed the foregoing Petition to Intervene, am familiar with the facts set forth therein and verify that those facts are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
James R. Monk, President  
Illinois Energy Association

Signed and affirmed before me this 25<sup>th</sup> day of May, 2005.

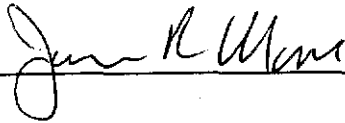
SEAL



  
\_\_\_\_\_  
Signature of Illinois Notary Public

### CERTIFICATE OF SERVICE

I, James R. Monk, hereby certify that on the 25<sup>th</sup> day of May, 2005, I caused the foregoing *Opposition of Illinois Energy Association to Motion to Dismiss* to be served on all persons shown on the Service List below, by electronic delivery or by depositing a copy in first class mail, properly addressed and with payment arrangements made.

  
\_\_\_\_\_

Here is the Ameren one:

**Illinois Commerce Commission -  
Docket Nos.: 05-0160, 05-0161, 05-0162 (Cons.)**

Thomas J Augspurger  
Atty. for J. Aron & Company  
McDermott, Will & Emery LLP  
227 W. Monroe St.  
Chicago, IL 60606

Melissa R Beiting  
Atty. for Applicants  
Jones Day  
77 W. Wacker, Ste. 3500  
Chicago, IL 60601

Jennifer Bontrager  
Paralegal  
Citizens Utility Board  
208 S. LaSalle, Ste. 1760  
Chicago, IL 60604

Darryl Bradford  
Vice President  
Commonwealth Edison Company  
PO Box 805379  
Chicago, IL 60680-5379

Jon M Casadont  
BlueStar Energy Services, Inc.  
363 W. Erie St., Ste. 700  
Chicago, IL 60610

Lisa Decker  
Constellation Energy Group, Inc  
111 Market Place, Ste. 500  
Baltimore, MD 21202

John Feeley  
Illinois Commerce Commission  
160 N. LaSalle, Ste. C-800  
Chicago, IL 60601

Daniel Feit  
Vice President, Associate General Counsel  
Goldman, Sachs Co.  
One New York Plaza  
New York, NY 10004

Edward C. Fitzhenry  
Ameren Corporation

Ronit C. Barrett  
Atty. for Midwest Generation EME, LLC  
Eimer, Stahl, Klevorn & Solberg LLP  
224 S. Michigan Avenue, Suite 1100  
Chicago, IL 60604

Richard Bernet  
Exelon Business Services Company  
10 S. Dearborn St., 35th Fl.  
PO Box 805379  
Chicago, IL 60603

William A. Borders  
Atty. for Intervenors  
DLA Piper, Rudnick, Gray, Cary US LLP  
203 N. LaSalle St., Ste. 1500  
Chicago, IL 60601-1293

Michael Brosius  
Vice President  
Morgan Stanley Capital Group Inc.  
2000 Westchester Ave.  
Purchase, NY 10577

Janice A. Dale  
Assistant Attorney General  
Public Utilities Bureau  
100 W. Randolph St., 11th Fl.  
Chicago, IL 60601

Laura M Earl  
Atty. for Applicant  
Jones Day  
77 W. Wacker  
Chicago, IL 60601-1692

David I. Fein  
Senior Counsel  
Constellation NewEnergy, Inc.  
550 W. Washington Blvd., Ste. 300  
Chicago, IL 60661

Robert G. Ferlmann  
Vice President  
BlueStar Energy Services, Inc.  
5105A N. Glen Park Place  
Peoria, IL 61614

Christopher W. Flynn  
Atty. for Applicant

P.O. Box 66149 (M/C 13 10)  
1901 Chouteau Avenue  
St. Louis, MO 63166-6149

Carmen Fosco  
Illinois Commerce Commission  
160 N. LaSalle St.,  
Ste. C-800  
Chicago IL 60601-3104

John Gomoll  
Direct Energy Services, LLC  
700 Commerce Dr., 5th Fl.  
Oak Brook, IL 60503

Divesh Gupta  
Atty. for J. Aron & Company  
McDermott, Will & Emery LLP  
600 Thirteenth St. NW  
Washington, DC 20005

Paul F. Hanzlik  
Atty. for Commonwealth Edison Company  
Foley & Lardner LLP  
321 N. Clark St., Ste. 2800  
Chicago, Illinois 60610

Susan Hedman  
Office of the Illinois Attorney General  
100 W. Randolph St., 11th Flr.  
Chicago, IL 60601

Christopher T. Hexter  
Atty. for Locals 15, 51 & -702, IBEW  
Schuchat, Cook & Werner  
1221 Locust St., 2nd Fl.  
St. Louis, MO 63103

Mark G. Kaminski  
Assistant Attorney General  
100 W. Randolph St., 11th Fl.  
Chicago, IL 60601

Mary Klyasheff  
Atty. for Peoples Energy Services Corporation  
McGuire Woods LLP  
77 W. Wacker Dr., Ste. 4400  
Chicago, IL 60601

Jones Day  
77 W. Wacker, Ste. 3500  
Chicago, IL 60601-1692

Deborah Golden  
Midwest Generation EME, LLC  
440 S. LaSalle St., Ste. 3500  
Chicago, IL 60605

Freddi Greenberg  
Atty. for Midwest Independent Power Suppliers  
1603 Orrington Avenue, Ste. 1050  
Evanston, IL 60201

Hanita Hanafi  
Illinois Industrial Energy Consumers (IIEC)  
Brubaker & Associates  
PO Box 412000  
1215 Fern Ridge Pkwy., Ste. 208  
St. Louis, MO 63141-2000

Deborah Hart  
Managing Director  
Morgan Stanley Capital Group Inc.  
2000 Westchester Ave.  
Purchase, NY 10577

John Hendrickson  
Case Manager  
Illinois Commerce Commission  
527 E. Capitol Ave.  
Springfield, IL 62701

Barry Huddleston  
Senior Director  
Dynergy Inc.  
1000 Louisiana St., Ste. 5800  
Houston, TX 77002

Robert Kelter  
Citizens Utility Board  
208 S. LaSalle St., Ste. 1760  
Chicago, IL 60604

Joseph L. Lakshmanan  
Managing Director  
Dynergy Inc.  
2828 N. Monroe  
Decatur, IL 62526

Travis Larson  
Atty. for Midwest Generation EME, LLC  
Eimer, Stahl, Klevorn & Solberg LLP  
224 S. Michigan Ave., Ste. 1100  
Chicago, IL 60604

Gregory K. Lawrence  
Atty. for J. Aron & Company  
McDermott, Will & Emery LLP  
28 State St.  
Boston, MA 02109-1175

Mark J. McGuire  
Atty. for Peoples Energy Services Corporation  
McGuire Woods LLP  
77 W. Wacker Dr., Ste. 4400  
Chicago, IL 60601

John N. Moore  
Environmental Law and Policy Center  
Suite 1300  
35 E. Wacker Drive  
Chicago, IL 60601

Philip R. O'Connor  
Vice President  
Constellation New Energy, Inc.  
550 W. Washington, Ste. 300  
Chicago, IL 60661

Katie Papadimitriou  
Regulatory Affairs Manager  
Constellation NewEnergy, Inc.  
550 W. Washington St., Ste. 300  
Chicago, IL 60661

John P. Ratnaswamy  
Atty. for Commonwealth Edison Company  
Foley & Lardner LLP  
321 N. Clark St., Ste. 2800  
Chicago, IL 60610

E. Glenn Rippie  
Atty. for Commonwealth Edison Company  
Foley & Lardner LLP  
321 N. Clark St., Ste. 2800  
Chicago, IL 60610

Rebecca J. Lauer  
Midwest Generation EME, LLC  
6529 Bentley Ave.  
Willowbrook, IL 60514

Howard A. Learner  
Environmental Law and Policy Center  
33 E. Wacker Dr., Ste. 1300  
Chicago IL 60601-2110

Carla S. Meiners  
Atty.  
MidAmerican Energy Company  
4299 N.W. Urbandale Dr.  
PO Box 657  
Des Moines, IA 50303-0657

Anastasia M. O'Brien  
Exelon Business Services Company  
10 S. Dearborn, 35th Fl.  
Chicago, IL 60603

Michael S. Pabian  
Assistant General Counsel  
Exelon Business Services  
10 South Dearborn, 35th Fl.  
Chicago, IL 60680-5379

Kalyna A. Procyk  
Atty. for Intervenors  
DLA Piper, Rudnick, Gray, Cary US LLP  
203 N. LaSalle St., Ste. 1900  
Chicago, IL 60601

John J. Reichart  
Illinois Commerce Commission  
160 N. LaSalle St.  
Chicago, IL 60601

Eric Robertson  
Atty. for IIEC  
Lueders, Robertson, Konzen  
1939 Delmar Ave.  
P.O. Box 735  
Granite City, IL 62040



Ryan Robertson  
Atty. for IIEC  
Lueders, Robertson & Konzen  
PO Box 735  
1939 Delmar Ave.  
Granite City, IL 62040

Thomas J. Russell  
Exelon Business Services Company  
10 S. Dearborn St., 35th Floor  
Chicago, IL 60603

Carla Scarsella  
Illinois Commerce Commission  
160 N. LaSalle, Ste. C-800  
Chicago, IL 60601

Lauren Smith  
Atty. for IIEC  
Lueders, Robertson, Konzen  
PO Box 735  
Granite City, IL 62040

David M. Stahl  
Atty. for Midwest Generation EME, LLC  
Eimer, Stahl, Klevorn & Solberg  
224 S. Michigan Ave., Ste. 1100  
Chicago, IL 60604

Steven R. Sullivan  
Sr. Vice President  
d/b/a AmerenCILCO  
1901 Chouteau Ave.  
PO Box 66149, MC 1300  
St. Louis, MO 63166-6149

Christopher J. Townsend  
Atty. for Intervenors  
DLA Piper, Rudnick, Gray, Cary US LLP  
203 N. LaSalle St., Ste. 1500  
Chicago, IL 60601-1293

Edward Uliassi  
Constellation NewEnergy, Inc.  
550 W. Washington Blvd., Ste. 300  
Chicago, IL 60661

Debbie Wernet  
U.S. Energy Savings Corporation

John L. Rogers III  
Atty. for Commonwealth Edison Company  
Foley & Lardner LLP  
321 N. Clark St., Ste. 1500  
Chicago, IL 60610

Susan L. Satter  
Illinois Attorney General's Office  
11th Floor  
100 W. Randolph  
Chicago, IL 60601

Christopher N. Skey  
Atty. for Intervenors  
DLA Piper, Rudnick, Gray, Cary US LLP  
203 N. LaSalle Street, Suite 1900  
Chicago, IL 60601-1293

Michael Smith  
Vice President  
Constellation Energy Commodities Group, Inc.  
111 Market Place, Ste. 500  
Baltimore, MD 21202

Eric Stephens  
Director  
Direct Energy Services, LLC  
5650 Blazer Pkwy., Ste. 100  
Dublin, OH 43017

Chris Thomas  
Sr. Policy Analyst  
Citizens Utility Board  
208 S. LaSalle, Ste. 1760  
Chicago, IL 60604

Peter I. Trombley  
Atty. for Applicants  
Jones Day  
717 Texas, Ste. 3300  
Houston, TX 77002

Jackie K. Voiles  
d/b/a AmerenCILCO  
607 E. Adam St.  
Springfield, IL 62739

Jennifer Witt  
Peoples Energy Services Corporation

6345 Dixie Rd., Ste. 200  
Mississauga ON L5T 2E6  
CANADA

130 E. Randolph Dr., 23rd Fl.  
Chicago, IL 60601

And here is the Ameren one:

-----Original Message-----

**From:** Jim Monk [mailto:jmonk@ilenergyassn.org]  
**Sent:** Wednesday, May 25, 2005 3:32 PM  
**To:** anastasia.obrien@exeloncorp.com  
**Subject:** RE: Procurement Service Lists

Stacy:

Unfortunately, I cannot open the attachments. Can you send them in another format?

Thanks,  
Jim

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**From:** anastasia.obrien@exeloncorp.com [mailto:anastasia.obrien@exeloncorp.com]  
**Sent:** Wednesday, May 25, 2005 2:55 PM  
**To:** jmonk@ilenergyassn.org  
**Subject:** Procurement Service Lists

Here are the service lists. Thanks again for your support!

\*\*\*\*\*

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